LCA Frequently Asked Questions

Q: What past restoration efforts have supported and led up to the current Louisiana Coastal Area (LCA) study?

A: Development of the LCA Plan was facilitated by the unprecedented level of interagency cooperation and coordination between Federal and state natural resource agencies, parish and local governments, NGOs and members of the academic community and the public that began nearly 20 years ago. Highlights of legislation and other past activities follow:

1989/ Act 6 (Louisiana Coastal Wetlands Conservation, Restoration and Management Act)

* Established the Wetlands Conservation and Restoration Authority, the Louisiana Governor's Office of Coastal Activities, and the Coastal Restoration Division (CRD) within LDNR and designated LDNR as the lead state agency for the development, implementation, operation, maintenance, and monitoring of coastal restoration projects

* Created the Wetlands Conservation and Restoration Fund (WCRF), which dedicates a portion of the state's revenues from severance taxes on mineral production (*e.g.*, oil and gas) to finance coastal restoration activities and projects.

* Requires the state to prepare and annually update a "Coastal Wetlands Conservation and Restoration Plan" to provide location-specific authorizations for the funding of coastal restoration projects from the WCRF.

1990/ CWPPRA (Coastal Wetlands Planning, Protection and Restoration Act) -

* The first Federal statutory mandate for restoration of Louisiana's coastal wetlands – a cost-share partnership between several Federal agencies and the state whose business practices and restoration decisions are strongly influenced by local governmental entities, NGOs and the general public.

* As of 1 May 2004, some 52,000+ acres have either been created, restored or loss prevented through the actions of the Louisiana CWPPR team. Construction on projects benefiting nearly 35,000 additional acres will begin between May 1 and Dec 30, 2004.

The Louisiana CWPPRA team will continue to operate and coordinate their efforts with the LCA Plan team.

1991/ The Caernarvon diversion (8,000 cfs max capacity) has generated significant measurable restoration benefits in the wetlands east of the Mississippi River mainstem, clearly demonstrating the value of freshwater diversions to control salinities as a restoration tool.

1998/ "Coast 2050 – Toward a Sustainable Coastal Louisiana" (Coast 2050 Plan) -

The Coast 2050 Plan was a direct outgrowth of lessons learned from implementation of restoration projects through CWPPRA and reflected a growing recognition that a more comprehensive "systemic" approach was needed. The plan integrates coastal management and coastal restoration approaches, and adopts a multiple-use approach to restoration planning.

1999/ Section 905(b) (WRDA1986) Analysis Louisiana Coastal Area, Louisiana --Ecosystem Restoration The Coast 2050 Plan was the basis for this Corps of Engineers report expressing a Federal interest in proceeding to the next study phase. That report was the precursor to the Louisiana Coastal Area Comprehensive Ecosystem Restoration Study.

2002/ The Davis Pond diversion (10,650 cfs max capacity) has already induced changes but has yet to reach its potential to deliver restoration benefits to the majority of the upper reaches of the Barataria Basin wetlands west of the Mississippi River mainstem.

2000-2004/ LCA Comprehensive Ecosystem Restoration Study and Draft PEIS
The next step after the 905(b) report, these documents, prepared jointly by the Corps and the state, identified and reported the results of analyses of an array of seven coastwide alternatives that would provide a sustainable coastal ecosystem with the essential functions, assets, and values of the natural ecosystem.

* 2003 - the LCA Study team presented, received and evaluated comments on restoration alternatives, an array of comprehensive restoration plans, the process being developed to select a comprehensive coastwide ecosystem restoration plan, and the method used to determine the cost effectiveness of each one of the alternatives considered.

* 2004 – The Administration directed the Corps to refocus from the larger comprehensive ecosystem restoration plan to a near-term plan {LCA Plan} that presents the first 10-year or so increment of highly cost effective restoration projects targeting critical need areas.

Q: What happened in the study process between October 2003 and April 2004?

A: The Administration directed a revised and refocused course of action. In October 2003 the Corps submitted a report package to the Office of Management and Budget (OMB) and the Council on Environmental Quality (CEQ). Those Administration entities reviewed the draft report package and PDEIS and deferred their public release. OMB and CEQ provided formal comments to the Corps in the form of the FY 05 President's Budget Guidance, released on February 2, 2004.

The Corps was directed to refocus from the larger comprehensive ecosystem restoration plan to a near-term plan that presents the first 10-year or so increment of highly cost effective restoration projects targeting critical need areas.

Since receipt of the Administration's guidance, the Corps and the State have been engaged in dialogue to forge a cooperative course of action that is responsive to the Administration's guidance. The Corps and the State have worked together, and with stakeholders, NGOs and the public, to formulate a tentatively selected plan for advancing the restoration of the coastal Louisiana ecosystem in accordance with the FY 05 Budget Guidance.

Q: What does the LCA tentatively selected plan (TSP) include?

A: The TSP includes a proposal for:

- Programmatic authority for five near-term critical restoration features subject to follow-up decision documents ($786 million): MRGO environmental restoration, Barataria Barrier Island sections, sediment diversions at Maurepas Swamp, Myrtle Grove, and Bayou Lafourche—all restoration features that have significant restoration benefits in the most critical areas of the coast and, except for MRGO, already have initial design efforts in progress;
- Authorization of a Science and Technology Program which will provide the data and technological tools to facilitate effective program implementation ($100 million over 10 years);
- Authorization of Science and Technology Demonstration Projects to resolve critical technological and engineering uncertainties ($175 million over 10 years);
- Programmatic Authority for the Beneficial-Use of Dredged Material to take advantage of on-going maintenance dredging to restore geomorphic structure and in some cases supplement river water reintroductions ($100 million over 10 years);
- Programmatic Authority for Modifications to Existing Structures to achieve cost-effective, expedited restoration benefits ($10 million over 10 years);
- Approval of an implementation plan of ten additional near-term critical restoration features for which a standard authorization process will be followed ($730 million); and
- Approval of plan for assessing potentially promising large-scale long-term restoration concepts ($60 million).

Q: What is the approval/authorization mechanism for each of the TSP components?

A: With programmatic authorization now:

- "Most critical" near-term critical restoration features: The LCA TSP recommends that Congress programmatically authorize implementation of these features within the Water Resources Development Act (WRDA) currently under consideration, subject to review and approval of feasibility-level decision documents by the Secretary of the Army. These feasibility-level decision documents will document planning, engineering and design; real estate analyses; and supplemental requirements under NEPA.
- Science and Technology Program: The LCA TSP recommends that Congress programmatically authorize the $100 million (over 10 years) within the WRDA currently under consideration.
- Science and Technology Program Demonstration Projects: The LCA TSP recommends that Congress programmatically authorize the $175 million (over 10 years) for individual demonstration projects within the WRDA currently under consideration, subject to review and approval of the feasibility-level decision documents by the Secretary of the Army.
- Beneficial-use of dredged material: The LCA TSP recommends that Congress programmatically authorize $100 million over 10 years within the WRDA currently under consideration, subject to review and approval of feasibility-level decision documents by the Secretary of the Army.
- Studies to evaluate modification to existing structures: The LCA TSP recommends that Congress programmatically authorize $10 million over 10 years within the WRDA currently under consideration for use by the Secretary of the Army to initiate the studies.
- Additional near-term critical restoration features: The LCA TSP recommends that these features be authorized via the standard process; i.e. the Corps will submit feasibility-level decision documents to Congress for authorization in future WRDAs.
- Studies of large-scale long-term restoration concepts: The LCA TSP informs the Congress of these studies for which the Corps already has standing authority to proceed.

Q: What is the sponsor's position on the Administration's instruction for the Corps to focus on Near-Term, critical needs?

A: The sponsor agrees that it is appropriate to detail a near-term set of projects that address the most critical ecological needs of the LCA—they are especially interested in receiving programmatic authority within the 2004 Water Resources Development Act, which will expedite eventual construction of the most critical projects. The sponsor is also very interested and supportive of the Administration's guidance to conduct further studies of larger-scale, longer-term restoration concepts. The sponsor is also very interested in the LCA TSP supporting eventual development of a "comprehensive" blueprint for coastal restoration.

Q: What restoration efforts does the LCA TSP suggest would be undertaken beyond the first 5-10 years?

A:

- The fifteen identified critical restoration features are intended to be into construction (but not complete) at the end of the next 10 years. This construction and eventual operation would continue until complete.
- The LCA Plan includes a requirement for the Secretary of the Army to complete a five-year "Report to Congress" twice during the 10-year implementation period. Based upon the adaptive management process, including lessons learned from the science and technology program and restoration features constructed to date, this "Report to Congress" will detail necessary actions and projects to continue on the path to achieving the LCA restoration objectives.
- The five studies of large-scale long-term restoration concepts would likely conclude within the first 10 years with recommendations for development of specific constructible elements.

Q: How is the $100 million S&T program integrated into LCA Program management?

A: The S&T Office Director would work directly for the LCA Program Manager (at the Mississippi Valley Division). The Director would coordinate all efforts within the S&T Program to support both program-level and project-level S&T requirements. The S&T team would have a role in all phases of project studies, from initial scoping, to feasibility-level decision document preparation, to project monitoring plan development, to project assessment, to developing adaptive management recommendations to the program manager based on this assessment.

Q: How will peer review be incorporated into LCA Plan implementation?

A: All scientific investigations and project studies would be subject to a ***peer review*** by an independent panel of experts as determined by the S&T Director. A panel of experts shall be composed of independent experts who represent a balance of areas of expertise suitable for the review being conducted. The peer review could include a review of the

economic and environmental assumptions and projections, project evaluation data, economic analyses, environmental analyses, engineering analyses, formulation of alternative plans, methods for integrating risk and uncertainty, models used in evaluation of economic or environmental impacts of proposed projects, and any biological opinions of the project study.

Additionally, implementation of the LCA Science & Technology Program will include a Science Board (SB) that will periodically review the S&T Program and prepare reports that provide recommendations and advice to the Program Manager and Director of the S&T Office. The purpose of these reviews and reports would be to provide an ***independent assessment*** of the program. The Director of the S&T Office would keep regular communication with the SB between formal review sessions. Additionally, the SB would:

- Review the LCA program to identify gaps in scientific information and adaptive management tools and strategies;
- Recommend tools, processes, and methodologies from a review of current research to improve ongoing LCA restoration efforts;
- Work closely with the Director to review recommended changes that are needed in the applied science strategies of the restoration program;
- Possibly recommend establishing new science initiatives, innovative restoration tools, and other challenging research and development issues; and
- Report to Program Management and the Director of the S&T Office regarding the effectiveness of science and technology program to meet the science and information needs of the restoration program.

Q: What is the status of the oyster lawsuit and how is that expected to effect implementation of your tentatively selected LCA plan?

A: Elements of the public expressed concern that restoration efforts, particularly projects that would involve freshwater diversions, would affect existing oyster beds via lowering salinity levels, thereby creating a situation where excessive compensation for potentially affected oyster leases would be necessary. On the contrary, payments would be made for just compensation, in accordance with Louisiana and federal law, rather than excessive compensation. Specifically, as noted in Chapter 4 of the draft LCA main report, if oyster leases are anticipated to be adversely impacted by a project, then such leases will be acquired and just compensation will be made.

Q: What is the relationship between the tentatively selected LCA plan components and projects currently on the CWPPRA priority project lists?

A: Some of the near-term critical restoration features identified in the LCA Study already have some level of investigation and design effort completed under CWPPRA. Approval of the TSP, especially the programmatically authorized elements, would present an opportunity to expeditiously move towards implementation of some of these features that would take longer if they proceeded under the funding-constrained CWPPRA program. This would enable CWPPRA to potentially refocus or reprioritize its priority project lists towards other important restoration efforts that complement LCA program elements. The CWPPRA features would continue to provide restoration benefits, as well as lessons learned to the larger-scale and longer-term restoration efforts undertaken within LCA.

Q: Who are the partner agencies involved in the LCA and how have they contributed to the Corps-State effort?

A: The following Federal agencies are formal Cooperating Agencies for the LCA Study: MMS, NRCS, NMFS, USEPA, USFWS, and the USGS. The technical input provided from these agencies during the planning, evaluation and report development has greatly contributed to the completeness and correctness of the study. Continued cooperation and collaboration will greatly assist in effective plan implementation as well.

Q: What federal/non-federal cost-share percentages does the Corps recommend be applied to the LCA TSP components?

A:

	Draft LCA TSP (July 04)	***FYI: Senate Bill 2554***	***FYI: State's Views (July 04)***
Feasibility-level decision documents (includes NEPA)	**50/50**	**50/50**	**50/50**
Construction (PED, E&D,	**65/35**	**65/35**	**75/25**

S&A)			
Real Estate	**0/100**	**0/100**	**0/100**
Science and Technology program (includes demonstration projects)	**65/35**	**65/35**	**75/25**
Beneficial use dredged material program	**75/25 (same as Sn. 206 CAP for beneficial use)**	**Not specifically addressed**	**75/25**
Modification of existing structures program	**65/35**	**65/35**	**75/25**
Operation, maintenance, repair, replacement, and rehabilitation	**0/100**	**0/100**	**75/25**

Q: What is the difference between the authorization levels recommended in the Draft LCA TSP and the June 04 Senate mark-up?

A:

	Draft LCA TSP (July 04)	***Senate Bill 2554 (June 04)***
Restoration Projects (includes funding for both Feasibility-level decision documents and Construction	**$786,000,000 programmatically authorized for five projects: MRGO Restoration, Barataria Barrier Island Restoration, Bayou Lafourche, Myrtle Grove, and Hope Canal reintroductions**	**$140,000,000 authorized for only one project: Bayou Lafourche reintroduction**
Science and Technology (S&T) program	**$100,000,000**	**$50,000,000**
S&T Demonstration Projects	**$175,000,000**	**$85,000,000**
Beneficial use dredged material program	**$100,000,000**	**$100,000,000**
Modification of existing structures program	**$10,000,000**	**No authorized funding specified**

Q: What are the implications of no action to the linked economic sectors?

A: Without completing a full NED analysis, initial linkages and potential impacts have been estimated:

- Oil and Natural Gas supplies and infrastructure (26% of the nation's oil and gas passes through coastal Louisiana)—continued escalation in O&M to harden facilities and possible abandonment of some sites is projected
- Navigation Industry (#1 port complex by tonnage in the nation)—higher risk to storm-induced closures of key reaches of navigation canals, the mainstem Mississippi River, and the Gulf Intracoastal Waterway
- Fisheries ($343 million Louisiana fisheries revenues are the largest in the lower 48 states)—would experience losses in some species with significant salinity changes
- Recreation and Tourism—hunting, fishing, birding; and ecotourism are all significant and would be diminished by significant habitat changes to open water
- Hurricane and storm surge buffer to population of 2,000,000+